

FIRST REGULAR SESSION

SENATE BILL NO. 335

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOLSMAN.

Read 1st time January 28, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1612S.011

AN ACT

To repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to property owned by limited liability companies.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 347.048, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 347.048, to read as follows:

347.048. 1. **(1)** Any limited liability company that owns and rents or
2 leases real property, or owns unoccupied real property, located within any home
3 rule city with a population of more than four hundred thousand inhabitants
4 which is located in more than one county, shall file with that city's clerk an
5 affidavit listing the name and **street** address of at least one **natural** person who
6 has management control and responsibility for the real property owned and
7 leased or rented by the limited liability company, or owned by the limited liability
8 company and unoccupied.

9 **(2) Except as provided in subdivision (1) of this subsection, any**
10 **city, town, village, or county may enact an ordinance requiring that any**
11 **limited liability company that owns and rents or leases real property,**
12 **or owns unoccupied real property, located within that political**
13 **subdivision shall file with that political subdivision's clerk an affidavit**
14 **listing the name and street address of at least one natural person who**
15 **has management control and responsibility for the real property owned**
16 **and leased or rented by the limited liability company, or owned by the**
17 **limited liability company and unoccupied.**

18 **(3) Within thirty days following the cessation of management**
19 **control and responsibility of any natural person named in an affidavit**
20 **described in this section, the limited liability company shall file a**

21 successor affidavit listing the name and street address of a natural
22 person successor.

23 2. (1) If a limited liability company required by this section to
24 file an affidavit or a successor affidavit fails or refuses to file said
25 completed affidavit with the appropriate clerk, any person who is
26 adversely affected by the failure or refusal, or the home rule city, other
27 city, town, village, or county may petition the circuit court in the
28 county where the property is located to direct the execution and filing
29 of such document.

30 (2) Trial shall be by the court without a jury. The court shall
31 award reasonable attorney's fees to the plaintiff upon the court
32 ordering execution and filing of the affidavit.

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Bill

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